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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/553,361	04/20/2000	Aviel D. Rubin	1999-0728	4969

7590 06/02/2003

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PO Box 4110  
Middletown, NJ 07748

EXAMINER

OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
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2655

6

DATE MAILED: 06/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

W.V

## Office Action Summary

Application No.

09/553,361

Applicant(s)

RUBIN ET AL.

Examiner

Michael N. Opsasnick

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2000.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)              | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Beck et al (6167395).

As per claims 1,14-20,22, Beck et al (6167395) teaches a method for retaining broadband communications comprising the steps of collecting digitized information packets of a communication session (col. 6 lines 24-50) and selecting keywords related to said communication session for subsequently searching to find said communication session (abstract)

As per claims 2,21, and 23, Beck et al (6167395) teaches:

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“determining.....text information” as converting speech to text (Fig. 7, subblocks 185)

As per claims 3, 24, Beck et al (6167395) teaches:

“step of selecting....automatically” as automated detection (col. 18 lines 10-24; and col. 20 lines 47-59)

As per claims 4, 22, Beck et al (6167395) teaches:

“prompting a first party.....party preference” as analyzing association criteria and making a selection based on that criteria (abstract)

As per claims 5,25, and 26, Beck et al (6167395) teaches:

“includes outgoing packets....first party” as packets of information transferred from the first party to the second party (Figs. 2,4, and 6)

As per claims 6, 27, Beck et al (6167395) teaches:

“determining if approval.....second party” as logging into a network via password protection (Fig. 6)

As per claims 7,9,10,28,30, and 31, Beck et al (6167395) teaches storing meta information and packets to memory (Fig. 7, subblock 191)

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As per claims 8,29, Beck et al (6167395) teaches constraining access of the user to certain information (col. 25 line 60 – col. 26 line 17)

As per claims 11,32, Beck et al (6167395) teaches voice/speech recognition to convert to text using keywords (col. 21 lines 35-47)

As per claims 12, 33, 34, Beck et al (6167395) teaches searching the database (fig. 7)

As per claims 13,33, and 34, Beck et al (6167395) teaches storing and retrieving information from the database for parsing or review (col. 24 lines 37-65).

### ***Response to Arguments***

3. Applicant's arguments filed 3/19/2003 have been fully considered but they are not persuasive. As per applicant's arguments that Beck does not teach keywords, examiner argues that the association criteria can be construed as a keyword. Also, the association criteria of Beck is displayed with an indicator, implying a keyword of sorts for a communication session. Furthermore, keywords that can summarize the important information of an email are displayed (Beck, col. 9 lines 38-51; wherein the email is the communication session). And in a further embodiment, Beck teaches content-based access of identified email (col. 10 lines 10-50). Also, Beck teaches allowing the user to change the association criteria (col. 9 lines 39-51). Beck also teaches second party approval (Fig. 6, as the second party determines if the visitor is registered),

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protected data (as limited access to data by users), and artificial intelligence (as interactive media view modules (fig. 10).

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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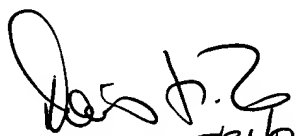
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is available Tuesday-Thursday, 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at (703)305-4827. The facsimile phone number for this group is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

mno

5/27/2003

  
DORIS H. TO 5/31/03  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600